

1 The Honorable Barbara J. Rothstein
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8 UNITED STATES DISTRICT COURT
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WESTERN DISTRICT OF WASHINGTON

ASSUREDPARTNERS OF WASHINGTON
LLC,

Plaintiff,

v.

MARK ACARREGUI, ALLIANT
INSURANCE SERVICES INC., and JO-ANN
PABALATE

Defendants.

NO. 2:20-cv-00290 BJR

**STIPULATED MOTION AND
THIRD AMENDED ORDER
REGARDING EXPEDITED
DISCOVERY AND PRELIMINARY
INJUNCTION BRIEFING;
AMENDED ORDER REGARDING
RESPONSES TO AMENDED
COMPLAINT, REPLY
REGARDING MOTION FOR AN
ORDER TO SHOW CAUSE, AND
INITIAL DISCLOSURES**

Plaintiff AssuredPartners of Washington LLC (“Assured”), Defendant Mark Acarregui (“Acarregui”), Defendant Alliant Insurance Services Inc. (“Alliant”), and Defendant Jo-Ann Pabalate (“Pabalate”), having agreed to extend all upcoming deadlines by one week to facilitate ongoing settlement negotiations, jointly request that this Court enter an order as follows:

(1) Remaining expedited discovery and briefing related to Assured’s motion for a preliminary injunction shall proceed according to the amended schedule set forth in Exhibit A.

STIPULATED MOTION AND THIRD AMENDED
ORDER REGARDING EXPEDITED DISCOVERY
AND PRELIMINARY INJUNCTION BRIEFING;
OTHER DEADLINES - 1
(CASE NO. 2:20-CV-00290-BJR)

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- (2) The temporary restraining orders with respect to Acarregui (Dkt. No. 15) and Pabalate (Dkt. No. 45) shall continue in full force and effect until the Court rules on Assured's motion for a preliminary injunction, if such a motion is filed according to the briefing schedule set forth in Exhibit A. If no motion is filed according to that briefing schedule, the temporary restraining orders shall immediately dissolve unless further agreement is made by the parties or the temporary restraining order is continued by the Court for good cause.
- (3) Defendants' respective responses to the Amended Complaint for Injunctive and Other Relief (Dkt. No. 41) are to be filed on or before May 14, 2020.
- (4) Assured's reply to Acarregui's opposition to Assured's Amended Motion for an Order to Show Cause and Acarregui's response to Assured's Motion to Seal are to be filed on or before May 19, 2020.
- (5) The initial disclosure and joint status report schedule is modified as follows: Fed. R. Civ. P. 26(f) Conference Deadline is May 18, 2020; Initial Disclosure Deadline is May 25, 2020; Joint Status Report is due by June 1, 2020.

EXHIBIT A

Third Amended Schedule for Remaining Expedited Discovery & Preliminary Injunction Briefing [Prior Deadlines Noted Where Applicable]

Prior Deadline	New Deadline	Event
May 12, 2020	May 19, 2020	Time to complete depositions. Each deposition shall be limited to four hours of testimony each (without prejudice to a party's ability to complete any deposition after Plaintiff's application for a preliminary injunction, if any, is adjudicated). The parties may conduct the depositions by a mutually-acceptable web-based interface for remote depositions (e.g., TSG Reporting's LiveLitigation software).

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26	Prior Deadline	New Deadline	Event
	May 19, 2020	May 26, 2020	Plaintiff's deadline to file a motion for a preliminary injunction. Plaintiff shall file and serve its preliminary injunction papers by this date.
	June 2, 2020	June 9, 2020	Defendants to oppose motion for a preliminary injunction. Defendants shall file and serve their opposition papers, if any, by this date.
	June 9, 3030	June 16, 2020	Plaintiff's deadline to reply. Plaintiff shall file and serve any reply papers by this date.
	June 12, 2020	June 19, 2020	Date of Hearing. Plaintiff shall note its motion for preliminary injunction for hearing on this date. The parties may appear by telephone for oral argument regarding Plaintiff's motion for preliminary injunction.

1 DATED this 7th day of May, 2020.
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21 **Jo-Ann Pabalate**

22 PURSUANT TO STIPULATION, IT IS SO ORDERED.

24 DATED this 8th day of May 2020.

25 BYRNES KELLER CROMWELL LLP

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26 HONORABLE BARBARA J. ROTHSTEIN
UNITED STATES DISTRICT COURT JUDGE

STIPULATED MOTION AND THIRD AMENDED
ORDER REGARDING EXPEDITED DISCOVERY
AND PRELIMINARY INJUNCTION BRIEFING;
OTHER DEADLINES - 4
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